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5 **UNITED STATES DISTRICT COURT**
6 **WESTERN DISTRICT OF WASHINGTON**
7 **AT SEATTLE**

8 UNITED STATES OF AMERICA,

9 NO. MJ17-399

10 Plaintiff,

11 DETENTION ORDER

12 v.

13 JOSE CARLOS DE LA CRUZ
14 RODRIGUEZ,

15 Defendant.

16 Offense charged:

17 Count 1: Possession of Heroin With Intent to Distribute

18 Date of Detention Hearing: October 3, 2017.

19 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
20 based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

21 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22 1. Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that
23 defendant is a flight risk and a danger to the community based on the nature of the pending
24 charges.

25 2. Defendant is a citizen of Mexico.

26 3. Defendant has stipulated to detention, but reserves the right to contest his
continued detention if there is a change in circumstances.

DETENTION ORDER

18 U.S.C. § 3142(i)

Page 1

1 4. There are no conditions or combination of conditions other than detention that
2 will reasonably assure the appearance of defendant as required or ensure the safety of the
3 community.

4 IT IS THEREFORE ORDERED:

- 5 (1) Defendant shall be detained and shall be committed to the custody of the
6 Attorney General for confinement in a correction facility separate, to the extent
7 practicable, from persons awaiting or serving sentences or being held in custody
8 pending appeal;
- 9 (2) Defendant shall be afforded reasonable opportunity for private consultation with
10 counsel;
- 11 (3) On order of a court of the United States or on request of an attorney for the
12 government, the person in charge of the corrections facility in which defendant
13 is confined shall deliver the defendant to a United States Marshal for the
14 purpose of an appearance in connection with a court proceeding; and
- 15 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
16 counsel for the defendant, to the United States Marshal, and to the United States
17 Pretrial Services Officer.

18 DATED this 3rd day of October, 2017.

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21 JAMES P. DONOHUE
22 Chief United States Magistrate Judge
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